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INCOMING TELEGRAM *Department of State*

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FM AMEMBASSY SAIGON
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C O N F I D E N T I A L SAIGON 26561

DEPARTMENT OF STATE A/CDO MR
REVIEWED BY [illegible] DATE 12/7/81
PORTIONS DENIED AS INDICATED

LIMDIS

CINCPAC FOR POLAD

REF: SAIGON 26455

1. ACCORDING TO CIVILIAN DIRECTORATE MEMBER [redacted] THE DIRECTORATE DECIDED MAY 24 TO INFORM THE ASSEMBLY THAT THE DATES SET FOR THE ELECTIONS BY THE ARMED FORCES COUNCIL AND ANNOUNCED APRIL 1 BY GENERAL THIEU MUST BE MAINTAINED.

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THIS MEANS THAT THE DIRECTORATE WILL INSIST THAT THE PRESIDENT AND THE SENATE BE ELECTED ON SEPTEMBER 1 AND THE LOWER HOUSE ON OCTOBER 1. WHEN EMBOFF POINTED OUT THAT SEPTEMBER 1 IS A FRIDAY AND THE CONSTITUTION CALLS FOR PRESIDENTIAL ELECTIONS TO BE HELD ON A SUNDAY, [redacted] SAID THAT THE ORIGINAL DATES WERE ANNOUNCED AT THE SAME TIME THAT THE CONSTITUTION WAS PROMULGATED AND THEREFORE HAVE EQUAL VALIDITY.

2. AT THE SAME MEETING THE DIRECTORATE DECIDED TO ASK THAT THE ASSEMBLY "RECONSIDER" THE ELECTORAL LAW PROVISION WHICH REQUIRES THAT CANDIDATES BE "INTRODUCED" BY 30 DEPUTIES OR PROVINCIAL AND MUNICIPAL COUNCILLORS. IF THE ASSEMBLY DOES NOT WISH TO DROP THIS REQUIREMENT, THE DIRECTORATE WILL ACCEPT IT, HOWEVER.

3. THE DIRECTORATE TOOK NO ACTION ON THE MUCH DEBATED PROPOSAL THAT THE ELECTORAL LAW REQUIRE A MINIMUM PER CENT OF THE VOTE TO WIN IN THE PRESIDENTIAL ELECTION. [redacted] THAT FOREIGN MINISTER DO SPOKE IN FAVOR OF SUCH A REQUIREMENT, BUT ALL THE GENERALS WERE OPPOSED TO IT ON GROUNDS OF SECURITY. WHEN EMBOFF OBSERVED THAT

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HE HAD UNDERSTOOD GENERAL THIEU FAVORED PROVISION FOR A RUN-OFF ELECTION, SAID THAT HE HAD ALSO BEEN UNDER THIS IMPRESSION. HOWEVER THIEU SPOKE AGAINST A RUN-OFF PROVISION AT THE DIRECTORATE MEETING. REMARKED THAT PERHAPS KY AND THIEU HAD REACHED AN AGREEMENT ON THIS ISSUE. (FOREIGN MINISTER DO LATER CONFIRMED THIS ACCOUNT, SAID THAT HE HAD BEEN THE ONLY ONE TO SPEAK FOR A RUN-OFF, AND ADDED THE VOTE HAD BEEN 13 TO 4.)

4. SAID THAT THE DIRECTORATE'S VIEWS WILL BE CONVEYED TO THE ASSEMBLY IN THE FORM OF A LETTER.

5. COMMENT: (A) IT APPEARS THAT THIEU AND KY MAY HAVE STRUCK A DEAL ON THE ELECTORAL LAW. THEIU IS ON PUBLIC RECORD AS OPPOSING THE REQUIREMENT FOR "INTRODUCTION" BY 3@ ELECTED REPRESENTATIVES. HE MAY HAVE ALSO FELT THAT HIS PRESTIGE WAS INVOLVED IN THE MATTER OF THE ELECTORAL DATES SINCE IT WAS HE WHO HAD ANNOUNCED THE ORIGINAL DATES WHEN HE PROMULGATED THE CONSTITUTION. IN RETURN FOR DIRECTORATE SUPPORT ON THESE POINTS, THIEU MAY HAVE AGREED TO GO ALONG WITH OPPOSING THE RUN-OFF.

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